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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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7   UNITED STATES OF AMERIA,   )
)
8   Plaintiff,   )   Case No. 2:09-cr-00078-JCM-GWF
)
9   vs.   )   **ORDER**
)
10 SAMUEL DAVIS,   )   Motion to Dismiss Indictment - #401
)
11   Defendant.   )
    _____)

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This matter is before the Court on Defendant Samuel Davis' Renewed Motion to Dismiss

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Indictment for Good Cause (#401), filed on December 8, 2014.

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Defendant Samuel Davis pled guilty to one count of Conspiracy to Commit Money

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Laundering and thirty counts of Aiding and Abetting Money Laundering on November 1, 2011.

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(#207). The Defendant was sentenced to 57 months imprisonment. *Id*. Defendant appealed his

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sentence to the Ninth Circuit, which affirmed the judgment on February 1, 2013. *See United States*

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v. Davis, 706 F.3d 1081 (9th Cir. 2013).

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Defendant requests that the Court dismiss these indictments for good cause, and claims that

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the Courts has no jurisdiction over this case under Article III of the United States Constitution.

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Article III provides that the judicial power of the United States "shall be vested in one supreme

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Court, and in such inferior Courts as the Congress may from time to time ordain and establish."

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Congress subsequently established the United States District Courts, including the United States

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District Court for the District of Nevada. *See* 28 U.S.C. § 132; 28 U.S.C. § 108. The Defendant's

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assertions have been previously dismissed as farcical, illogical, or frivolous by other District

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Courts. *See United States v. Vann*, 2012 WL 6201353, *2 (N.D. Cal. 2012); *United States v.*

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Siceloff, 2010 WL 1375370, *3 (W.D. Pa. 2010); *Cuellar v. Wilkerson*, 2012 WL 1409263, *3

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(N.D. Tex. 2012).

1   Furthermore, there are no indictments pending. The Defendant's motion is moot.

2 Accordingly,

3   **IT IS HEREBY ORDERED** that Defendant's Renewed Motion to Dismiss Indictment for

4 Good Cause (#401) is **denied**.

5   DATED this 11th day of December, 2014.

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GEORGE FOLEY, JR.

8 United States Magistrate Judge

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